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10/714,376 APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER NUMBER
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DATE MAILED:

This is a communication from the examiner in charge of this application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

**NOTICE OF ALLOWABILITY**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- ☒ This communication is responsive to the amendment filed 26 Nov 2004
- ☒ The allowed claim(s) is/are 7, 8, 16, 17
- ☒ The drawings filed on [REDACTED] are acceptable as formal drawings.
- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- ☐ All ☐ Some\* ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_
- ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE FOR SUBMITTING NEW FORMAL DRAWINGS, OR A SUBSTITUTE OATH OR DECLARATION. This three-month period for complying with the REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL is extendable under 37 CFR 1.136(a).

- ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
- ☒ Applicant MUST submit NEW FORMAL DRAWINGS
- ☐ because the originally filed drawings were declared by applicant to be informal.
- ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. \_\_\_\_\_
- ☐ including changes required by the proposed drawing correction filed on \_\_\_\_\_, which has been approved by the examiner.
- ☒ including changes required by the attached Examiner's Amendment/Comment or in the Office action of Paper No. \_\_\_\_\_

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings.

- ☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any reply to this notice should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

**Attachment(s)**

- ☐ Notice of References Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152
- ☒ Interview Summary, PTO-413
- ☒ Examiner's Amendment/Comment
- ☐ Examiner's Comment Regarding Requirement for the Deposit of Biological Material
- ☐ Examiner's Statement of Reasons for Allowance

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ann Agosti on 7 January 2005.

The application has been amended as follows:

#### **In the Specification:**

In paragraph [0018], first and second line therein, --(FIG. 1)-- has been inserted after "10", "11" & "14", respectively. In paragraph [0019], third line therein, --(FIGs. 1, 2)-- has been inserted after "12" and --(FIG. 1)-- has been inserted after "22"; fourth line therein, "(FIGs. 1-2)" has been rewritten as --(FIG. 1)--; fifth line therein, "(FIGs. 1-2)" has been changed to --(FIG. 1)--; 12<sup>th</sup> line therein, --(FIG. 4)-- has been inserted after "18"; 14<sup>th</sup> line therein, --(FIG. 5)-- has been inserted after "42". In paragraph [0019], sixth line therein & paragraph [0023], first line therein, "28" has been deleted at each occurrence. In paragraph [0023], second line therein, a --,-- has been inserted after "3". In paragraph [0025], 8<sup>th</sup> line therein, "electrical device 16 above dielectric layer 10" has been deleted. In paragraph [0032], fourth line therein, --(FIG. 9)-- has been inserted after "152" and --(FIGs. 10-12)-- has been inserted after "116". In paragraph [0033], fourth line, --in FIG. 8-- has been inserted after "lines".

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**In the Drawings:**

The following changes to the drawings have been approved by the examiner and agreed upon by applicant: In Fig. 9, reference label should now be deleted. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

Claims 7; 16, 17, 8 are allowable over the prior art of record.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benny Lee whose telephone number is 571 272 1764.

A handwritten signature in black ink that reads "Benny Lee". The signature is written in a cursive, flowing style.

B. Lee

BENNY T. LEE  
PRIMARY EXAMINER  
ART UNIT 2817